

“40-28 Agricultural Tourist Attraction”

40-28-1-.01 Definitions.

- (1) “Department” means the Georgia Department of Agriculture.
- (2) “Agricultural tourist attraction” means any agricultural based business providing onsite attractions to tourists that meet the criteria set out in departmental rule 40-28-1-.03.
- (3) “Registered agricultural tourist attraction” means a specific location registered with the Georgia Department of Agriculture.
- (4) “Facility” includes, but is not limited to, real property structures, farms, businesses, and places providing recreational activities, places providing lodging, that make it usable for a designated or assigned purpose.
- (5) “Tour” means an activity that is directed by a knowledgeable employee (tour guide) of the business; educational, informative, and entertaining in nature, of sufficient length to clearly describe the materials, equipment, and processes used in the production of agricultural products by the facility and conducted during open business hours, or, in the absence of regular tour times, upon availability.

40-28-1-.02 Duty of the Georgia Department of Agriculture.

Once a facility is designated an “agricultural tourist attraction” the Department shall, in conjunction with the Georgia Department of Transportation, take the appropriate steps to assist in the placement of directional signs along roads in the direct proximity of the agricultural tourist attraction to direct passing traffic to the agricultural tourist attraction. The Georgia Department of Transportation shall create guidelines relating to size, placement, location and number of signs on Federal and State highways. The Department will approve the design of the signs and logo designating an agricultural tourist attraction.

40-28-1-.03 Criteria to determine what constitutes an “agricultural tourist attraction.”

- (a) Facilities wishing to be recognized by the Department as an “agricultural tourist attraction” shall:
 - (1) Submit an application to the Department
 - (2) Submit payment of a one-time application fee of up to \$250 depending on the type of agricultural tourist attraction. Directional signage is an additional charge determined by the Georgia Department of Transportation
- (b) The owner of a business applying for an “Agricultural Tourist Attraction” shall certify in writing:
 - (1) That the activity allows members of the general public, for recreational, entertainment and/or educational purposes, to view or enjoy agriculturally related activities.

- (2) That the business is in full compliance with all applicable Federal, State, and local laws, rules and ordinances, including, but not limited to, all applicable license and permitting requirements required by law.

40-28-1-.04 Registration of “agricultural tourist attraction.”

- (a) The Department shall maintain a registry of approved agricultural tourist attractions.
- (b) Agricultural tourist attractions shall be registered in the following categories:
 - (1) Temporary registration: attractions operating 14 days or less per year
 - (2) Seasonal registration: attractions operating between 15 days to six months
 - (3) Year-round registration: attractions operating more than 6 months per year
- (c) Said registry shall include:
 - (1) Name of the agricultural tourist attraction
 - (2) Information describing the activity which the participant conducts or intends to conduct
 - (3) Information describing the location where the person conducts or intends to conduct such activity and appropriate contact information

40-28-1-.05 Once designated an “agricultural tourist attraction,” the facility shall:

- (a) Have a point-of-business sign on-site posted in a prominent and visible location stating the name of the business, the days and hours of operation, and the time tours will be conducted if applicable.
- (b) Maintain a website with the hours of operation and directions to the facility.
- (c) Provide onsite public restroom facilities, drinking water suitable for public consumption and an onsite telephone available for emergency purposes.
- (d) Provide an all-weather structure and adequate onsite parking.
- (e) If the facility designated as an “agricultural tourist attraction” shall cease to operate, the Department shall be notified, in writing, within ten (10) days thereof. Once notified, said attraction shall be removed from the registry.

40-28-1-.06 Removal of designation.

Once a facility ceases to fulfill the criteria required as an agricultural tourist attraction, the facility shall be given thirty (30) days to come into compliance with all applicable rules. If the facility is not in compliance at the end of said period, it shall lose the designation as an agricultural tourist attraction and be removed from the Department’s website. The Department of Transportation shall then be notified and all agricultural signage shall be removed. If the facility applies for reinstatement, the request shall be handled as if it were a new applicant.